

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
NORTHERN DIVISION

SHOSHANTI BARJO

)

Plaintiff

)

v.

) Case 8:18-cv—1587 -RWT

VIVIAN R. CHERIAN

)

KENNETH M. CHERIAN

ABERDEEN HOUSE, INC.

)

Defendants

**DEFENDANTS' ANSWER TO COMPLAINT**

Defendants, Vivian Cherian, Kenneth M. Cherian and Aberdeen House, Inc. by counsel  
file their Answer to Complaint and state:

**ADMISSIONS AND DENIALS**

1. Denied.
2. Defendants admit meeting Shanti Barjo (Shanti) in India and deny remaining allegation.
3. Denied.
4. Denied.
5. Admit.
6. Admit.
7. Denied.
8. Admit residency in Maryland and deny remainder.
9. Admit, however, Ken Cherian does not “operate” Aberdeen House.
10. Admit however, the corporate status of Aberdeen House has lapsed.
11. Admit.

12. Admit.
13. Admit.
14. Admit.
15. Admit.
16. Admit.
17. Admit.
18. Denied.
19. Denied.
20. Admit that the contract was signed, deny characterization of contract as the contract speaks for itself.
21. Admit there was contract in English, deny the remainder.
22. Admit.
23. Admit.
24. Admit.
25. Denied.
26. Denied.
27. Admit.
28. Denied.
29. Admit that Shanti worked in the home and deny the remaining characterizations.
30. Unable to admit or deny.
31. through 46. Denied, however, as to paragraph 42. Vivian Cherian did send payments to India for Shanti.
47. Admit the visa was not renewed, deny the remainder.

- 48. Denied.
- 49. Admit.
- 50. through 62. Denied.
- 63. Admit that the passport was located. Deny the remainder.
- 64. through 115. Denied.

### **AFFIRMATIVE DEFENSES**

- A. The Complaint fails to state a cause of action upon which relief can be granted.
- B. The Complaint is barred by release and accord and satisfaction. The Plaintiff released her claims by a written release signed by the Plaintiff a copy of which is attached.
- C. The Complaint is barred by limitations and laches.
- D. The Complaint is barred by payment.
- E. The Complaint is barred by estoppel.
- F. The Complaint is barred by breach of contract.

### **REQUEST FOR RELIEF**

Wherefore, the Defendants request that the Court enter judgement on their behalf, that they be awarded costs of suit and attorney's fees where allowed by rule or statute and for such other and further relief as is just.

### **1. DEMAND FOR JURY TRIAL**

The Defendants demand a jury trial on all issues triable by a jury.

/s/  
\_\_\_\_\_  
John R. Garza Bar Number 01921  
Garza Law Firm, P. A.  
Garza Building  
17 W. Jefferson Street, Suite 100  
Rockville, Md 20850  
Phone: 301 340 8200, Extension 100  
E-mail: [jgarza@garzanet.com](mailto:jgarza@garzanet.com)

**CERTIFICATE OF SERVICE**

I HEREBY certify that the foregoing entry of appearance was sent to all counsel of record via the ECF electronic filing system on this October 29, 2018.

/s/ \_\_\_\_\_  
John Garza